

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THERESA SPIEGEL,  
Plaintiff,

-against-

ESTÉE LAUDER INC., ESTÉE LAUDER COMPANIES,  
INC., ELC BEAUTY LLC, ESTÉE LAUDER  
INTERNATIONAL INC., LUSINE JACOBS, NOÉ  
ARTEAGA, ANGELINA MILLER and JENNE EUGENE,

Defendant(s).

Case No.: 23-CV-11209  
(DLC) (OTW)

**DECLARATION OF TANIA J.  
MISTRETTA, ESQ. IN  
SUPPORT OF DEFENDANTS'  
MOTION TO STRIKE AND  
DISMISS PLAINTIFF'S  
AMENDED COMPLAINT**

**TANIA J. MISTRETTA, ESQ.** declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge:

1. I am a Principal with the law firm Jackson Lewis P.C., attorneys for Defendants Estée Lauder Inc., Estée Lauder Companies, Inc., ELC Beauty LLC, Estée Lauder International Inc., Lusine Jacobs, Noé Arteaga, Angelina Miller and Jenne Eugene (collectively “Defendants”). As such, I am fully familiar with the facts and circumstances set forth herein.

2. I submit this Declaration in support of Defendants’ Motion to Strike under Fed. R. Civ. P. 12(f) and Motion to Dismiss Plaintiff’s Amended Complaint under Fed. R. Civ. P. 12(b)(6).

3. A true and correct copy of Plaintiff’s Amended Complaint with the accompanying exhibits attached thereto, dated March 8, 2024, is annexed hereto as Exhibit “A.”

4. This Declaration is made in accordance with 28 U.S.C. § 1746(2).

5. I declare under penalty of perjury that the foregoing is true and correct.

**WHEREFORE**, for the reasons set forth in Defendants' accompanying Memorandum of Law in Support of Defendants' Motion to Strike and Dismiss Plaintiff's Amended Complaint, Defendants respectfully request an Order striking and dismissing Plaintiff's Amended Complaint, along with such other and further relief as the Court deems just and proper.

Date: March 15, 2024  
New York, New York



Tania J. Mistretta